REMARKS

This Amendment is filed responsive to an Office Action mailed November 22, 2000 with a shortened three month response date.

By this Amendment, claims 1-32, 34-53, and 55-75 are currently pending. Claims 1-30, 32-39, 42-43, 46-47, and 51-71 were rejected. Claims 31 and 50 were objected to. Claims 40-41, 44-45, and 48-49 are allowed.

By this Amendment, claims 33 and 54 are canceled without prejudice, new claims 72-75 are added, and claims 1-3, 5, 8, 10, 12, 13, 16, 18, 20-24, 26, 29, 32, 34, 36, 37, 46, 50, 52, 56, 57, 61-64, 66, 67, 69, and 70 are amended. No new matter is added.

In the Office Action, the Examiner noted that although the present application was filed as a divisional of prior parent application no. 08/645,678, since there was no restriction or election of species in the cited parent application, the present application is not a divisional application. The Examiner suggested amendment the specification to state that this application is continuation of the prior parent application. By this Amendment, Applicant has amended the specification to reference itself as a continuation of the prior application.

The Examiner also objected to the drawings under 37 CFR 1.83(a), claiming that the drawings do not presently show every feature of the invention specified in the claims. The Examiner states that the " 'mapping of the poses...emotional function ... (claim 31)"...and that "the means for the users image from the secondary source to

single 'participate....associative actions in the presentation as an extra actor' (claims 40-41, 44-45, and 48-50)," "must be shown for the feature(s) canceled from the claim(s). The Examiner states that "particularly for claims 40-41, 44-45, and 48-50, there's a lack of illustration...drawings for the participating as an extra actor."

It is respectfully submitted that the drawings indeed show those features of the invention specified in the claims. Figures 3, 4, 6, and 10, and the description thereof within the specification provide both support in the drawings and the specification for the mapping of poses...emotional functions, as in claim 31 and claims 40-41, 44-45, and 48-50. Additionally, support for claims 40-41, 44-45, and 48-50 are provided in Figures 4C and 4D and the description thereof in the specification. Furthermore, Figures 1A and Tables I, II, and III and the description thereof in the specification, provide illustration in the drawing and related description, of the features of the invention specified in the claims for which the drawings are objected to (claims 31, 40-41, 44-45, and 48-50).

For example, with reference to the "extra actor," Figures 1A, 3, 4C, 4D, 6, and 10, and Tables I, II, III clearly provide sufficient support for these claims in the drawings. The specification states (page 17, lines 3-5) that "the users image creation system provides....representative character image....as having a predefined file structure, and can be used to determine the functional and structural mapping of the user visual image to the video game and its software functions." The specification further states that "In a preferred embodiment, user visual image data utilization is

expanded beyond associative replacement predefined character images and existing game display functions. New game display functions can be created specifically to utilize user visual images. For example, user visual images and/or associated sounds can appear as a "newscaster," "cameo guest," or a "synthetic actor" with predetermined actions. (either functional or superfluous)...." (page 17, lines 12-17).

Figure 3 of the present application details the mapping of game display functions to the image data packets. Furthermore, Tables I, II, and III, in conjunction with the Figures 1A and 1B, provide additional structure in the drawings to show the features of the invention specified in the claims. The mapping of poses, as in claim 31, is additionally detailed in Figure 6, and the description thereof (see elements 1060, 1070, and 1080 of Figure 6). For example, at page 39, line 9, discussing step 1060, the specification states that "a decision is made to select poses." If yes, (step 1080)..."poses are selected, mapping data and formatting is generated."

It is respectfully submitted that all bases of objection of the drawings under 37 CFR 1.83(a), as to claims 31, 40-41, 44-45, and 48-50, have been overcome and traversed for the reasons as discussed above. No new matter has been entered.

Additionally, at page 10, lines 29-30, the specification states that "the present invention is also applicable in non-video game embodiments, such as pre-recorded movies, animations, etc.

The Examiner also objected to the Amendment filed by Applicant on November 15, 1999 claiming it introduces new matter into the disclosure, specifically a movie

projector and light projector (claims 59 and 69); movie theater (claims 62 and 64); and film stock, computer tape, and storage array (claims 66 and 70), and required that Applicant cancel the new matter in the claims.

By this Amendment, Applicant has canceled any new matter as part of amending of these claims, responsive to the Office Action. Applicant has amended the same claims, consistent with the specification and drawings of the application as originally filed and pending. For example, the specification clearly provides support for providing a display, wherein the display is a movie (for examples, see page 1, lines 5, 9, 11; page 2, lines 8, 29, 32; page 3, lines 1, 5, 6, 7 (discussing movies and movie clips); page 10, line 3, page 31, lines 32 and 33; page 33, lines 10, 18, and 24; page 34, lines 3 (discussing movies and the movie film industry with respect to the invention); page 38, line 22; and page 52, line 32. Therefore, the use of the term movie in claims 59 and 69 and new claims 72-74 is fully supported by the specification as originally filed.

In a similar manner, claims 62 and 64, as amended, refer to displaying, or viewing, a movie (claim 62 provides for displaying a movie, while claim 64 provides for viewing a movie), both of which are fully supported by the specification and drawings, as discussed above and supported by citations to the specification.

Claims 66 and 70, as amended by this Amendment, delete reference to computer tape, a storage array, and a film stock, and, as amended, provides that the non-volatile form (of storage) can include "data for computer stored on any medium."

This is consistent with and recites the language as set forth in the Applicant's specification, such as on page 38 at line 16. No new matter is present in the claims as amended, and no new matter has been added by this Amendment. It is thus respectfully submitted that all bases of objection under 35 USC 132 has been overcome and traversed.

The Examiner additionally objected to the specification as not providing proper antecedent basis for the claimed subject matter, and required correction of the following: 'default' (claim 10), 'positional and temporal' characteristics (claims 15, 16, and 18), and 'time and spatial' data (claim 22), and 'mapping of poses ..... emotional function'. The specification is objected to as failing to provide proper antecedent basis for the claimed subject matter. The Examiner has requested correction of "default" (clm 10); positional and temporal characteristics (clm 15-16, 18), and time and spatial data (clm 22) and further, mapping of the poses...emotional function" do not appear to have antecedent basis.

It is respectfully submitted that these bases of objection are overcome and traversed for the reasons as follows.

The Examiner objects to "default" (clm 10). However, adequate antecedent basis for the use of default presentation is provided in multiple places in the specification and drawings, including on page 48, line 18, which provides for application software providing a default video game presentation, comprising default character images, and, at page 49, lines 21-26, specifically at lines 23-26, the

specification states that "the video presentation is comprised of a default video presentation comprised of ...displayable graphic functions, and a non-default video presentation. Also, at page 50, lines 12-18, the specification states "the predefined presentation output can be comprised of at least two predefined presentation outputs, comprised of a default predefined presentation output, having default predefined character images with associated default predefined actions, and a user image predefined presentation output...".

. It is respectfully submitted that there is ample support in the specification providing proper antecedent basis for the claimed subject matter as set forth in claim 10, for the reasons as discussed above.

Claims 15, 16, and 18, as amended by this Amendment, replace "positional and temporal" with "position and timing," for each of the respective claims, to provide consistency with the terminology within the specification as originally filed, and to provide clear support of antecedent basis. Similarly, claim 22 has been amended to replace time and spatial data with timing and position data, consistent with the specification terminology, and to provide clear and proper antecedent basis therefor. The position and timing characteristics as set forth in the amended claims 15, 16, and 18 have clear and adequate antecedent basis in the specification, such as in the discussion of Tables I, II, and III, and Figure 3, (Additional support is found in the specification. For example, at page 25, lines 18-19, the specification states "mapping data can relatively define the image characters or it can define the relative position of

the predefined character image." Furthermore, at page 48, lines 12-14, the specification provides that the "subsystem for analyzing is further comprised of means for providing...timing analysis..." Furthermore, at page 30, lines 30-33, the specification states that "the intercept controller contains a storage table containing the necessary signatures to perform...timing analysis or a combination of those and/or other techniques." Additionally, at page 30, starting at line 1, provides that "timing analysis,...or other transform or analysis techniques can be utilized to identify when particular predefined player graphic character segments are being accessed and transferred..., and at the appropriate time."

Additionally, the "mapping of the poses," has proper antecedent basis, for the reasons as discussed above, and further including discussion in the specification of Figure 1B at page 19, lines 22-30: "user image information can be processed for proper identification ....of poses." Additionally, Figure 6 and the discussion of Figure 6 (see for example page 38, lines 26 to page 39 line 15) provide additional antecedent basis. For example, at page 39, line 9, discussing step 1060, the specification states that "a decision is made to select poses." If yes, (step 1080)..."poses are selected, mapping data and formatting is generated," and in discussion of Tables I, II, and III, as well figures relative to the discussion of .IDP files, the specification states that "...individual .IDP images can be uniformly selected for the appropriate emotion for integration into the class of "facial" video games, for the appropriate function for integration of the user visual image into a UVI-game.": (page 16, lines 20-23).

It is thus respectfully submitted, that proper antecedent basis exists for all claims as presently amended, and that all basis of objection of the specification for failing to provide proper antecedent basis for the claimed subject matter is overcome and traversed, for the reasons as discussed above.

Claim 11 is objected to because of the use of acronyms, DVD and CD-ROM. The Examiner acknowledges that the definitions of these acronyms are generally known and in current use, but that they may change over time. Applicant has amended claim 11 herein to replace "CD-ROM," and "DVD" with "Compact Disc Read Only Memory" and "DIGITAL VERSATILE DISC," respectively. It is thus respectfully submitted that by this Amendment, all bases of this basis of objection has been traversed and overcome.

The Examiner further states that the term "modem" in claim 11 is inconsistent with the other memory media listed, and the Examiner has requested an explanation. Claim 11, is further defining the "at least one of the source of the first video image signal and the source of the user image signal." In that regard, Claim 11 is directed to further defining what the potential sources for the respective signals is comprised of. A modem can provide a source of data being communicated therethrough to provide at least one of the first video image signal and the source of the user image signal. Similarly, memory storage can also provide the respective source of signals.

It is thus respectfully submitted that all bases of objection of claim 11 have been responded to, overcome, and traversed.

Claim 25 is rejected under 35 USC section 112, second paragraph, being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. The Examiner states that "the background scene, a sequence of background scenes" (clm 25) is confusing and inconsistent with ancillary data as described in the specification and acknowledged by Applicant during telephone interview."

By this Amendment, claim 25 has been amended to more particularly and distinctly claim the subject matter, and to eliminate any confusion. The phraseology of "a background scene, a sequence of background scenes..., hairstyle" has been replaced with "a background scene, hairstyle..." This clarifies the claim, and is consistent with the claim as originally filed.

It is thus respectfully submitted that the rejection of claim 25 under 35 USC 112 has been traversed and overcome.

The Examiner has stated that, should claim 44 be found allowable, claim 50 will be objected to as being a substantial duplicate thereof, and has thus based a rejection on double patenting under 35 USC 101, which can be overcome by canceling or amending the conflicting claims, so they are no longer co-extensive in scope. By this Amendment, claim 50 has been amended to be patentably distinguishable from and no longer co-extensive in scope with claim 44. Thus, claim 50 as amended, inter olia requires the additional steps of analyzing the presentation output, and integrating the user image from the secondary source to participate with

predefined associative actions in the presentation as an extra actor....responsive to the analyzing. Adequate antecedent basis appears in the specification for the analyzing of the presentation output and the integration responsive to the analyzing. No new matter has been added. It is thus respectfully submitted, that the objection and double patenting rejection of claim 50, relative to claim 44 has been overcome and traversed.

Claims 1, 5-6, 8, 11, and 38 were rejected under 35 USC 102(b) as being anticipated by *Breslow et al.*, U.S. Patent 4,710,873.

Breslow teaches of substitution of a digital image for certain available substitutable predefined characters. Breslow does not teach or suggest the claimed invention as in Applicant's pending claims 1, and 5, 6, 8, 11, and 38 depending therefrom.

It is respectfully submitted that Breslow fails to teach or suggest the Applicant's claimed invention. For example, in Breslow et al, the display and positioning, permitted by the user of the acquired image is set forth at column 3, lines 11-26, which states "the video game apparatus 10 also provides a monitor function by displaying the person's image on the display 28 as the person's image is currently

being acquired by the camera 14..." (column 3, lines 12-17), and further "when the person 18 decides that his or her individual image is suitably centered, and represents the desired personal image, the person 18 is prompted to operate the control button 30 to condition the video game apparatus 10 to store the person's image for use throughout the game." A still picture of a head is put atop a race car. This is not analogous or even related to Applicant's claimed "position and timing" invention.

At column 3, lines 43-46, Breslow states that his self-focussing or auto-focussing camera could be utilized instead of a pre-focussed camera. The acquired user images "are appropriately inserted with the video graphics on the game display to position the face of each champion on a respective car as the champions' cars are introduced and moved about the game display" (column 4, lines 19-24).

Furthermore, the acquisition of the user image, storage, and utilization, as taught in Breslow et. al., neither anticipates, teaches or suggests the Applicant's claimed invention, either alone or in combination with other references of record. For example, columns 5 and 6 of Breslow discuss the acquisition of and storage of the user image, wherein a camera provides a composite video in synchronization output, which is appropriately processed to provide an output of "the digitized personal image data" (column 6, line 28). The illustrated example of the specific embodiment thereafter, assumes that there are two levels of luminance **being digitized**, for the digitized personal image data output 116 **with respect to time**. (Breslow '873,

column 6, lines 31-34).(**emphasis added**) The image of the person is 32 samples or pixels horizontally, and 32 samples or lines vertically for storage by the video game apparatus 10. (Breslow '873, column 6, lines 35-37). This is stored in a 1k by 1 bit RAM, 120. The person's image is defined as a 32x 32 pixel array" (column 6, lines 44-47).

The 32 pixels per scan line of the composite video TV scan line represents a very small portion of the total scan. The illustrated specific embodiment of the store mode is further explained in column 7 and 8 of Breslow. Game control circuitry 82, responsive to the game program software provides for output of delayed horizontal and vertical synchronization timing signals for timing the addressing of the user image memory for output and display. "The delayed horizontal synch pulse signal 148 supplies horizontal synch pulse signals to define the point along the horizontal scan direction at which the stored personal image data at the left edge thereof is to be located on the display 28." (column 8, lines 8-17). A counter is then used to provide sequential addresses for outputting from the user image memory 120. "Thus, the game control circuitry 82 controls the scanning of the display 28, a delayed vertical sync pulse at 136 occurs, when the first line is scanned at which the top of the person's image is .....to be displayed" (column 8, lines 32-36). "Next, delayed horizontal sync pulse occurs at 148 at the time representing the left-hand corner of the person's image" A flip-flop is set to enable incrementing the counter. (column 8, lines 37-40)

The timing and synchronization relate to the actual physical display and physical memory timing, to provide for synchronization of memory output to display timing. The details of a specific embodiment for operation and a reader playback mode for utilization of the user's personal image is discussed in columns 9-12 of Breslow. As stated in Breslow, at column 9, lines 68-column 10, line 20, "the game control circuitry 82 appropriately outputs delayed horizontal synch pulse signals 148 and delayed vertical synch pulse signals at 136 in accordance with the stored game program and control circuitry, and in response to the operation of the game player controls for appropriate display of the game player or other person image on the display 28 in each frame of the displayed video game graphics and at desired locations thereof in accordance with the appropriate play of the game" (column 9, line 68-column 10, line 10.) This discussion of images being incorporated at desired "locations" refers to the stored game program determination of appropriate address timing for addressing the memory to delay output as to place the acquired person's image data atop cars within the game display. The discussion of the use of time delay of sync pulses, (summarized in Breslow at column 11, lines 13-19) relates to a mechanism to allow appropriate addressing of the memory at the appropriate time to provide for placement of the acquired person's image atop the game's predefined image. This is non-analogous and not related to the position and timing elements of various ones of the Applicant's pending claims, which are patentably distinguishable therefrom.

The discussion in Breslow of "different poses or facial expressions of a person" (Breslow, column 11, lines 20-40) provides only that "considering the storage of several different images of a single person, the display of various images are provided in a predetermined sequential format" (column 11, lines 31-37). Breslow, alone or in combination, fails to anticipate or make obvious Applicant's pending claims.

The "special effects" that Breslow discusses for the person's acquired image data is not equivalent to Applicant's claimed invention, but rather deals with elongating and stretching or compressing by varying the timing of read-out of the person's acquired image data. (column 11, lines 41-66).

The printout or hard copy representation 244 of the game player image is of the game player image and associated score data (column 12, lines 6-11). This neither teaches nor suggests Applicant's claimed invention related to providing a printout of the user's image integrated with the predefined background image.

It is respectfully submitted that by this Amendment, claims 1, 5, 6, 8, 11, and 38 patentably distinguishable over Breslow et. al., alone or in combination with other references, of record, and that all bases of rejection therefor have been overcome and traversed.

Claims 1, 5-9, 11-16, 18, 21-23, 29-30, 35-39, 42-43, 46-47, 51-53, 55-61, 63, and 65-71 were rejected under 35 USC 102(b) as being anticipated by *Bloch et al.*, U.S. Patent No. 4,688,105.

Bloch does not teach of Applicant's claimed invention as set forth in pending claims 1, 5-9, 11-16, 18, 21-23, 29-30, 35-39, 42-43, 46-47, 51-53, 55-61, 63, and 65-71 and any claims depending therefrom, which claims are patentably distinguishable over all references of record, alone or in combination..

In fact, Bloch et al teaches away from Applicant's claimed invention as set forth in pending claims 1-33, 35-53, and 55-75. Any extrapolation of rejection based on obviousness on Bloch is inapposite, and is traversed and overcome as discussed hereafter. Bloch teaches of compositing based upon keying to a particular color (color-keying). The location of a person in front of a blue or green screen provides a key for compositing in a secondary image into the keyed region. The keyed region is position relative to the blue screen, but not time relevant. To the contrary, Applicant's invention as set forth in claims 32-33, provides for integrating in a secondary image into a primary image based upon a position of a defined position and for a defined time. This is patentably distinguishable and non-analogous to Bloch et al, alone or in combination with the other references of record.

Bloch expressly teaches against other techniques, stating other ways can be used "to create different sorts of compositing. None of these other effects, however,

would create the impression that the user were located "within" the scene of the background." (col. 5, lines 2-6).

As Bloch states at column 1, the user is afforded "selection of one of several or many audio/visual background sequences...over which the user's image is electronically "matted" or "keyed," or otherwise combined with the background image..." (column 1, lines 58-65), and in column 2, Bloch states that "the image of the user may appear in certain scenes and not appear in others as means preferably are included for controlling a video switching matrix within the unit, and thus effectively controlling the chromakeyer or other video compositing device by signals from a microcomputer" (column 2, lines 10-15).

The matting or keying are explained in Bloch at column 4, lines 35-65, where it is explained that "the chromakey effect is achieved by adjusting a video chromakeyer 41 to replace a given color in a video image wherever such color occurs, with an image received from another video source." (column 4, lines 35-39). In the preferred embodiment of Block, the primary video source to the chromakeyer comes from a camera, and the secondary input that provides the background image comes from a video disk player via a video switching matrix. (column 4, lines 39-45). A colored backdrop is necessary to achieve the chromakey effect. (column 4, lines 50-57).

Block then goes on to state that while "more complicated or sophisticated systems, such as digital video effects, can also be used to create different sorts of composite picture," "none of these other effects, however, would create the

impression that the user were located"within. The scene of the background." (column 5, lines 1-6).

Thus, Bloch teaches away from the present Applicant's claimed invention, stating that the other more complicated or sophisticated systems, though usable to create different sorts of composite pictures, would not be compatible with Bloch's invention. Applicant's claimed invention is patentably distinguishable over Bloch et al.

As set forth in Applicant's pending independent claims, claims 1, 13, 16, 21, 29, 32, 34, 46, 52, 56, 57, 61, 63, and 67, and claims depending therefrom, the selected character function in original audiovisual presentation (the background of Bloch) is the relevant reference, not a blue screen or other keying as taught by Bloch. The Applicant's various claims provides for locating, tracking, and integrating based on selection of a character function, position and/or timing of an image within a presentation, (utilizing the signals from the source of the audio, visual, or audiovisual presentation), to integrate a secondary source of the user image into the original presentation. As stated at column 7 of Bloch, the time-base corrector is utilized to stabilize the two primary video sources, the video disc player and the video camera. (column 7, lines 48-53). In column 8, Bloch states that other optional video processing equipment can be used with the system, and gives the example of a Digital Video Effects generator (DVE), which can "place the user's image into a box inserted over the background image, or can place the background image into a box beside the user's image" (column 8, lines 47-52). This is an alternative form of

matting or keying, to provide an overlay of the second image with the original image. At column 13, lines 55-64, Bloch states that "without the involvement of the chromakeyer 41, the invention becomes a simple but novel audio/video recording and dispensing booth." (column 13, lines 55-57) Thus, the chromakeyer is a critical element of the invention of Bloch.

Applicant's invention as set forth in the pending claims, provides for "mapping the user image to the selected predetermined character function"; and "providing an integrated video output wherein the user image appears integrated into the respective background images in place of the respective recognizable video presentation for the selected character function responsive to the mapping". All pending claims by this amendment, are clearly patentably distinguishable over Bloch, either alone and in combination with other references of record. Bloch fails to teach of selecting a user selected predetermined character function in the background image, or providing an integrated video output wherein the user image appears in place of the selected predetermined position responsive to the user image signal, the means for providing for a user selecting, and the first video signal (which is representative of the background image), as set forth in the various ones of Applicant's amended claims 1, 13, 16, 21, 29, 32, 34, 46, 52, 56, 57, 61, 63, and 67, and claims depending therefrom.

Nor does Bloch have any teachings regarding a source of tracking data, wherein the integrated presentation is comprised of the user image integrated into the background image in accordance with the tracking data such as in claim 23. In

Bloch, the discussion of control of sequence and timing of the various apparatus (Fig. 10, column 12, lines 23-26) relates to the various apparatus (zoom lens, light control, VCR, start flash stop, etc) (column 10, lines 1-21). This is totally distinct from Applicant's claimed invention of integrating the user image into the background image in accordance with the tracking data. Bloch also fails to teach, anticipate, or render obvious Applicant's claimed invention as set forth in claims 13 and in claims dependant thereupon. Block fails to teach of a source of integration signals for defining linkage mapping for integration of external image signals with presentation signals.

The defining of linkage mapping for integration, as set forth in claim 13, and claims dependent therefrom, is discussed in the Applicant's specification in numerous places. At page 4, lines 18-27, it states that "a user image linker system and methodology provide for user image to application software mapping and linking of user image and integration data (e.g. ...), and further provides mapping and linking of user image and integration data to operating systems...)." At pages 17 and 18, there is discussion of linkage mapping, in the context of image data packets, and video games, and teaches of game initialization and linkage to image data packets, that allows the player to display and select which player character to associate with which game character function. (page 18, lines 4-9). At page 18, lines 11-12, there is description of the creating of a link table entry in the master game data base for each association of the user created video image with the game function. (page 18, lines

11-12). Again, at page 24, lines 24-33, and continuing to page 25, present Applicant's specification discusses that "the user image creation system creates a mappable absolute or virtual link of the user defined images and sounds and related parameters for integration into other graphics and game software packages,...." At page 24, line 33, continuing to page 25, line 6, the specification describes that "a virtually mappable link of the user defined images is game independent so that it can be mapped in a relocatable manner to fit into any mapping compatible with the video game to which it is being linked." At page 48, lines 15-30, in the context of a video game embodiment, the discussion of the linking begins at line 21, referring to "a subsystem for linking the IDP file from the storage subsystem for combinational mapping into the application software for the video game; and a subsystem for integrating the IDP file and the user image into the presentation of the video game play." At page 50, lines 3-7, it explains that "the image data packets can be linked to one or more game functions wherein the image data packets are incorporated into the overall video game presentation in association with the game function in combination with a predefined set of complementary audio-visual segments. For example, the linking can be comprised of combinational mapping and integrating." Claim 13, as amended, provides for a source of integration signals defining linkage mapping for combinational mapping and integration of the external image signals with the presentation signals. This is consistent with the specification as originally

filed (see for example page 50, lines 3-7, and elsewhere within Applicant's specification). No new matter is added.

In a like manner, Applicant's claim 16 is patentably distinguishable over Bloch et al, alone or in combination with other references of record. Bloch does not teach, suggest, or make obvious having a display integration system where display signals for a display presentation comprise predefined characters having respective position and timing characteristics associated with the display signal, or apparatus for integrating the user signals with the display signals and responsive to the position and timing characteristics for a selected one of the predefined characters, as set forth in Applicant's claim 16 and claims dependent therefrom.

The claims dependent from claim 16 further distinguish from the references of record. Particularly, with regard to position and timing, claim 20 further defines that the position and timing characteristics are derived from the display signals.

In claim 21 of Applicant's pending claims, a method claim is provided, wherein the video presentation signals are comprised of tracking signals comprised of timing and position signals and associated video signals, and where the video signals and user signals are integrated responsive to the tracking signals. As discussed above, this is patentably distinguishable from Bloch et al, either alone or in combination with other references of record, and is patentably distinguishable over all references of record.

It is thus respectfully submitted that Applicant's pending claims are patentably distinguishable over Bloch, and all references of record, alone or in combination, and that all bases of rejection of the pending claims under 35 USC 102 and 35 USC 103 are overcome and traversed.

Claims 24-28 were rejected under 35 USC 102(b) as being anticipated by *Spackova et al.*, U.S. Patent No. 4,539,585.

There is no "selecting one of a plurality of image integration options" in Spackova, rather there is a single user integration option: using "an orientation reference system of the present invention" (col. 3, l. 49-51). Spackova also fails to teach of integrating the modified image data into at least one of a movie, a video game and an animation. Thus, claims 24-28, as amended, are patentably distinguishable over Spackova, and all bases of rejection of claims 24-28 under 35 USC 102(b) as being anticipated by Spackova are overcome and traversed.

Claims 32-33 were rejected under 35 USC 102(b) as being anticipated by *Sato*, U.S. Patent No. 4,858,930.

Sato fails to teach of integration relative to a selected character function, or in accordance with position and timing characteristics therefor, as in Applicant's pending claims 32-33. Thus, claims 32-33, as amended, are patentably distinguishable over Sato, and all bases of rejection of claims 32-33 under 35 USC

102(b) as being anticipated by Sato U.S. Patent No. 4,858,930 are overcome and traversed.

Claim 10 was rejected under 35 USC 103(a) as being unpatentable over either *Breslow et al.* (873) or *Sitrick* ('014 or '509).

Claim 10 depends from claim 1. For the reasons as discussed above, claim 10 is therefore patentably distinguishable over Breslow (873) or Sitrick ('014 or '509) , alone or in combination with each other or with other references of record. It is respectfully submitted that the rejection of claims 10 under 35 USC 103(a) as being unpatentable over either Breslow '873 or Sitrick ('014 or '509) is overcome and traversed.

Claims 2-4 were rejected under 35 USC 103(a) as being unpatentable over either *Breslow et al.* or *Bloch et al.*

There is no explanation or basis for this "obviousness" rejection. However, claims 2-4 depend from claim 1 and distinguish over Breslow, Bloch, and all cited art, for the reasons as discussed above. It is respectfully submitted that the rejection of claims 2-4 under 35 USC 103(a) as being unpatentable over either Breslow et al or Bloch et al is overcome and traversed.

Claims 17 and 19 were rejected under 35 USC 103(a) as being unpatentable over either *Bloch et al.* in view of *Spackova et al.*

Claim 17 depends from claim 16, which as discussed above is patentably distinguishable from both Bloch and *Spackova, and over all references of record.*

It is respectfully submitted that the rejection of claims 17 and 19 under 35 USC 103(a) as being unpatentable over either *Bloch et al.* in view of *Spackova et al.* is traversed and overcome

Claims 29-30 were rejected under 35 USC 103(a) as being unpatentable over *Breslow et al.* Claims 29-30 are patentably distinguishable over Breslow et al for the reasons as discussed above. Additionally, in *Breslow* - FIG. 4E, there are not a plurality of poses of a same person as in claim 21, as amended.

It is respectfully submitted that the rejection of claims 29 and 30 under 35 USC 103(a) as being unpatentable over Breslow et al is traversed and overcome.

Claims 20, 62 and 64 were rejected under 35 USC 103(a) as being unpatentable over *Bloch et al.*

Claim 20, 62 and 64 depend, respectively, from independent claims 16, 61 and 63, which for the reasons as discussed above are patentably distinguishable over Bloch et al. It is respectfully submitted that the rejection of claims 20, 62 and 64 under 35 USC 103(a) under Bloch et al is traversed and overcome.

All bases of objection and rejection have been responded to and overcome by this Amendment, and it is submitted that the application is in proper form for allowance of all claims.

Early and favorable consideration of the amended application is respectfully requested, taking the form of allowance of all claims as amended.

Should the Examiner have any questions regarding the application, Applicant requests that he be notified by telephone at the location below.

Respectfully submitted,

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Applicant:	D. Sitrick
For:	User Image Integration and Tracking for An Audiovisual Presentation System and Methodology
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David A. Sitrick
(Signature of person making deposit)

March 22, 2001
(Date)

VERSION WITH MARKINGS TO SHOW CHANGES

In the Claims:

The claims have been amended as follows:

Claims 33 and 54 are cancel led without prejudice,

1. (Amended) A system comprising:

a source of a first video image signal representative of a plurality of background images of which at least two of which are comprised of at least one common predetermined character function therewithin having a recognizable video presentation within the background images;

a source of a user image signal representative of a user image;

means for selecting ~~a predetermined position in the background image;~~ one predetermined character functions as a selected predetermined character function within the respective background images;

means for mapping the user image to the selected predetermined character function;

~~processor apparatus for providing a composited~~ apparatus for providing an integrated video output wherein the user image appears ~~at the predetermined position responsive to the user image signal, the means for selecting, and the first video signal;~~ integrated into the respective background images in place of the respective recognizable video presentation for the selected character

function responsive to the mapping of the selected predetermined ~~wherein the user image is comprised of a video of at least a portion of a person, wherein the background image is comprised of a predefined background scene; and wherein the composited video output is comprised of the user image integrated with the background image.~~character function to the user image signal.

2. (Amended) The system as in claim 1, wherein the processor apparatus provides for scaling the user image ~~prior to positioning the user image to appear at the predetermined position~~.providing the integrated video output.

3. (Amended) The system as in claim 2, wherein the processor provides for the resizing and translating of the user image ~~for each of a plurality of the background images comprising an audiovisual presentation~~. corresponding to respective sizing and translating of the recognizable video presentation of the respective selected character function for each of the respective background images containing the recognizable video presentation of the respective selected character function.

5. (Amended) The system as in claim 1, further comprising:
apparatus for storing a signal representative of the ~~composited~~integrated video output onto a storage medium.

8. (Amended) The system as in claim 1, wherein the user image signal is comprised of provided by at least one of a camera, a computer, a communications device, and a storage device.

10. (Amended) The system as in claim 1, further comprising:
a video entertainment apparatus, comprising the processor, a memory, a display output, a user input device, and a data interface;
wherein the video entertainment apparatus provides the display of a selected one of a default presentation comprising the background ~~image and~~image, including the recognizable video presentation therewithin, and, of an integrated presentation comprising the user image mapped to the ~~positioned within the default presentation in the predetermined position~~;recognizable video presentation of the respective selected character function including the recognizable video presentation therewithin; and
means for selecting one of the default and the integrated presentation as a selected presentation type, wherein the processor is responsive to the ~~data from the storage device and the source of user image signal to provide the composited video output~~selecting of the integrated presentation ~~responsive to the selected~~ to provide the integrated video output.

~~presentation type.~~

12. (Amended) The system as in claim 1, further comprising a source of tracking data for defining the position of the recognizable video presentation of the respective selected character function within each of the background images;

wherein the integrated presentation is comprised of the user image integrated into the background images in accordance with the tracking data.

13. (Amended) An image integration system comprising:

a source of presentation signals defining a video ~~presentation;~~ presentation representative of a plurality of background images of which at least two of which are comprised of at least one common predefined character function therewithin having a recognizable video presentation within at least two respective ones of the background images and associated therewith;

means for selecting a selected character function;

a source of external image signals defining an external video image;

a source of integration signals defining linkage mapping, for the respective ones of the background images, of the external video image to the recognizable video presentation of the respective selected character functions for integration of the external image signals with the presentation signals; and

apparatus for automatically integrating the external image signals with the presentation signals responsive to the integration signals, for providing an integrated output wherein the external video image appears as the recognizable video presentation of the respective selected character function within the respective ones of the background images.

16. (Amended) A display integration system comprising:

apparatus providing display signals for a display presentation comprising ~~predefined characters having respective positional and temporal characteristics associated with the display presentation thereof;~~ a plurality of background images representative of a plurality of background images of which at least two of which are comprised of a recognizable video presentation within the background images, associated with a common character function, wherein the recognizable video presentation of the respective selected character function has respective position within the respective ones of the background images and timing characteristics uniquely associated with the respective ones of the background images;

apparatus for integrating the user signals with the display

signals and responsive to the positional and temporal characteristics for a selected one of the predefined characters to provide a modified display presentation comprising the user image display presentation having the positional and temporal characteristics associated with the respective selected one of the predefined characters.

a source of user image signals having an associated user image presentation;

apparatus for integrating the user signals with the display signals image presentation into the display presentation and responsive to the position ~~positional and temporal~~ and timing characteristics for a the selected one of the predefined character functions to provide a modified display presentation comprising the user image integrated into the display presentation and having the position and timing ~~positional and temporal~~ characteristics therein associated with the recognizable video presentation of the respective selected one of the predefined ~~characters~~ character function.

18. (Amended) The system as in claim 16, wherein the position and timing ~~positional and temporal~~ characteristics are provided as separate signals from the display signals.

20. (Amended) The system as in claim 16, wherein the position and timing ~~positional and temporal~~ characteristics are derived from the display signals.

21. (Amended) A method of generating a visual presentation comprising:

representing a user video presentation as a user image signal;

representing a video presentation as video presentation signals comprised of ~~tracking signals and associated~~ video signals and tracking signals wherein the video signals are representative of a plurality of background images of which at least two of which are comprised of a common character function therewithin having a recognizable video presentation within the background images, and wherein the tracking signals are comprised of timing and position signals; and

integrating the video signals and the user image signals responsive to the tracking signals, to integrate the respective user presentation for the user image signal ~~with the respective video presentation for the associated video signal~~ as the recognizable video presentation of the respective selected character function within the respective video presentation for the video signals to

provide an integrated video presentation output.

22. (Amended) The method as in claim 21, further characterized in that said tracking signals are comprised of timing and position ~~time and spatial~~ data for the recognizable video presentation of the respective selected character functions within each of the background images, the method further comprising:

utilizing the timing and position ~~time and spatial~~ data to control placement of the user presentation into the ~~associated~~ video presentation.

23. (Amended) The method as in claim 21, wherein the tracking data is comprised of at least one of manually generated tracking data, automatically generated tracking data, and motion-capture data, wherein said tracking data is derived from the video signals and is representative of ~~at least one of a plurality of defined actor positions~~position of the recognizable video presentation of the respective selected character functions within each of the respective background images.

24. (Amended) A method of providing a visual display presentation comprising:

providing digitized image data representative of a display presentation of at least a portion of a person;

providing ancillary data representative of a display presentation of ancillary attributes;

selecting one of a plurality of image integration options for selectively mapping and linking the display presentation for respective ones of the image data and the ancillary data;

integrating the respective image data and the respective ancillary data responsive to the selected image integration option to modify the display presentation of the at least portion of the person with the ancillary attributes, to provide modified image data; and

providing the visual display presentation responsive to the modified image.data; and integrating the modified image data into at least one of a movie, a video game, and an animation.

26. (Amended) A display presentation system for providing a presentation output comprising:

a source of image data representative of a visual display presentation;

a source of presentation data representative of a plurality of

ancillary attributes for modifying the visual display presentation of the image data, wherein each of the ancillary attributes is associated with at least one of a plurality of selectable options for modifying the visual display presentation;

a user input apparatus providing for the user to select one of the plurality of selectable options;

application software comprising control logic for providing for generation of the presentation output as a video display comprising the combination of the visual display presentations for the image data and at least one of the ancillary attributes selected responsive to the user input apparatus; and apparatus;

a processor, responsive to the application software, the input apparatus, the presentation data, and the image data, for generatingintegrating the presentation output into at least one of an animation, a video game, and a movie.

29. (Amended) A system for user creation and storage of user image signals, comprising:

apparatus for generating user image signals forat least one of a plurality of poses of a same user's user image;

storage apparatus; and

apparatus for formatting the user image signals and storing the formatted user image signals as digital data in the storage apparatus;

~~wherein user image signals are stored in a defined indexed structure to provide mapping for selection of a respective one of the poses according to the defined indexed structure.~~

apparatus providing display signals for a display presentation comprising a plurality of background images representative of a plurality of background images of which at least two of which are comprised of a recognizable video presentation within the background images, associated with a common character function, wherein recognizable video presentation of the respective selected character function has respective position within the respective ones of the background images and respective predefined character function pose characteristics uniquely associated with the respective ones of the background images;

wherein the recognizable video presentation is comprised of a plurality of poses utilized in respective ones of a plurality of the background images;

means for selecting one of the character functions;

apparatus for mapping the user image signals for different

ones of the poses therefor with each of the respective poses for the recognizable video presentation of the respective selected character functions within the respective background images of the video presentation, responsive to the respective position and the respetive pose characteristic

32. (Amended) A display integration system comprising:

apparatus providing display signals for a display presentation comprising predefined characters having respective positional and temporala recognizable video presentation for a respective character function within a plurality of background images means for providing position and timing characteristics associated with the display signals and the display presentation thereof for each of the background images;

a source of user image signals having an associated user image display presentation;

apparatus for integrating the user signals with the display signals andsignals, responsive to the positional and temporalposition and timing characteristics for a selected one of the predefined characters to provide a modifiedpredefined character function, to provide an integrated display presentation comprising the user image display presentation having the position and positional and temporalassociated with the respective selected one of the predefined characters.
timing characteristics associated with a respective selected predefined character function.

34. (Amended) A method of producing a customized videotape presentation comprising:

providing a signal for a background image;video representative of a plurality of background images of which at least two of which are comprised of a common character function therewithin having a recognizable video presentation within at least some of the background images;

providing a customized image; and

~~producing a customized video taperesponsive to integration~~ of integrating the customized image with the background ~~image to provide a stored video tape presentation~~ video in place of the recognizable video presentation of the respective selected character function to provide an integrated video presentation,

producing a customized video tape of the integrated video presentation.

36. (Amended) The method as in claim 35, wherein the

background imagevideo is a predetermined sequence of a plurality of background images.

37. (Amended) The method as in claim 34, wherein the customized image is at least one of a video image, an audio sequence,and an audiovisual image, and a movie.

46. (Amended) A method for integrating a user image into a predefined image source presentation output,an image into a video output, the method comprising:

providing a user image;

providing as the video output a presentation output associated with a predefined image source wherein the video output is representative of a plurality of background images of which at least two of which are comprised of a common character function therewithin having a recognizable video presentation within respective ones of the background images;

selecting an image portion offor the recognizable video presentation outputof the respective selected character functions as a selected portion for user image associative integration,

analyzing the signal for the presentation output associated with the selected portion;

integrating the user image within place of the selected image portion responsive to the analyzing; and

providing a modified presentation output wherein the user image is associated with and integrated into the selected image portion in the presentation output.

50. (Amended) A method of integration of an image from a secondary source into a predefined image source, the method comprising the steps of:

providing a presentation output from the image source;

providing a user image from the secondary source; and

~~providing a~~analyzing the presentation output; and ~~architecture having means that integrate and utilize~~

integrating the user image from the secondary source to participate with predefined associative actions in the presentation output as an extra actor, responsive to the ~~customized videotape~~analyzing.

52. (Amended) A method of producing a customized display

presentation comprising:

providing an audiovisual display presentation responsive to stored audiovisual content produced by the process of:

providing a background image;video representative of a plurality of background images of which at least two of which are comprised of a common character function therewithin having a recognizable video presentation within respective ones of the background images;

providing a customized image; and

producing a customized audiovisual presentation responsive to integration of the customized image with the background image.integrating the customized image in place of the recognizable video presentation of the respective selected character functions within the respective ones of the background images.

56. (Amended) A method of providing a display presentation to a user, the method comprising:

providing an audiovisual display presentation responsive to stored audiovisual content produced by the process of:

providing a predefined audiovisual presentation; presentation representative of a plurality of background images of which at least two of which are comprised of a common character function therewithin having a recognizable video presentation within respective ones of the background images;

providing at least one user image;

selecting an image portion of the predefined audiovisual presentation for the recognizable video presentation of the respective selected character function as a selected portion for user image associative integration;

analyzing the selected portion of the predefined audiovisual presentation; and

integrating the user image with the selected portion of the predefined audiovisual presentation, responsive to the analyzing, thereby for producing the output audiovisual presentation wherein the user image is associated with and integrated into the selected portion of the predefined audiovisual presentation within the respective ones of the background images.

57. (Amended) A system for providing a display presentation, the system comprising:

a display;

a storage device containing a stored audiovisual presentation produced by the process of:

providing a predefined audiovisual presentation recognizable video presentation of the respective selected character functions;

providing at least one user image;

selecting an image portion of the predefined audiovisual presentation containing the recognizable video presentation of the respective selected character functions as a selected portion for user image associative integration;

analyzing the selected portion of the predefined audiovisual presentation;

integrating the user image with the selected portion of the predefined audiovisual presentation, responsive to the analyzing, thereby for producing the output audiovisual presentation wherein the user image is associated with and integrated into the selected portion of the predefined audiovisual presentation;

storing the output audiovisual presentation in a non-volatile form; and form.

a display apparatus for providing a display presentation responsive to the storage device.

58. (Amended) The system as in claim 57, wherein the display provides a display presentation comprised of at least one of visual, audio, and audiovisual.

59. (Amended) The system as in claim 58, ~~57~~ wherein the display ~~apparatus~~ presentation is at least one of a video display, an audiovisual display, a ~~film-based movie projector, a digital input-based~~ movie ~~projector,~~ a television, a computer display, and a video game display.

61. (Amended) A method of providing a display presentation to a user, the method comprising:

providing an audiovisual display presentation responsive to stored audiovisual content produced by the process of:

providing a predefined audiovisual presentation;

presentation representative of a plurality of background images of which at least two of which are comprised of a common character function therewithin having a recognizable video presentation within respective ones of the background images;

providing at least one user image;

selecting an image portion of the predefined

audiovisual presentation for a recognizable video presentation of a selected character function as a selected portion for user image associative integration;

analyzing the selected portion of the predefined audiovisual presentation;

integrating the user image with the selected portion of the predefined audiovisual presentation, responsive to the analyzing; and

producing the output audiovisual presentation wherein the user image is associated with and integrated into the selected portion of the predefined audiovisual presentation.

62. (Amended) The method as in claim 61, further comprising:

displaying a movie in a movie theater responsive to the modifiedresponse to the output audiovisual content.presentation.

63. (Amended) A method of providing an audiovisual presentation for viewing, the method comprising:

providing stored audiovisual content produced by the process of:

providing predefined audiovisual content representative of a plurality of background images of which at least two of which are comprised of a common character function therewithin having a recognizable video presentation within respective ones of the background images;

providing at least one user image;

selecting an image portion of the predefined audiovisual content for the recognizable video presentation of a selected character function as a selected portion for user image associative integration;

analyzing the selected portion of the predefined audiovisual content;

integrating the user image with the selected portion of the predefined content, responsive to the analyzing, thereby for producing modified audiovisual content wherein the user image is associated with and integrated into the selected portion of the predefined audiovisual content;

storing the modified audiovisual presentation in a non-volatile form as the stored audiovisualcontent; and

providing a display presentation responsive to the stored audiovisual content.

64. (Amended) The method as in claim 63, further comprising:

providing a display presentation for viewingin a movietheater responsive to the stored audiovisual content.

66. (Amended) The stored audiovisual presentation as in claim 65, wherein the non-volatile form is one of video tape,computer tape, semiconductor memory, a computer disk, a compact disk (CD), optical storage, magnetic storage, and film stock.data for computer stored on any medium.

67. (Amended) A method of providing a display presentation, the method comprising:

providing an audiovisual display presentation responsive to stored audiovisual content produced by the process of:

providing user data;

providing a predefined source, wherein the source comprises audiovisual program content representative of: a plurality of background images of which at least two of which are comprised of a common character function therewithin having a recognizable video presentation within respective ones of the background images, and, other program data;

selecting a portion of the audiovisual program content for the recognizable video presentation of a selected character function responsive to the other program data, as a selected portion for user data associative integration;

integrating the user data with the selected portion responsive to the other program data;

providing a modified output content in an audiovisual format responsive to the integrating wherein the user data is associated into the selected portion of the audiovisual program content.

69. (Amended) The method as in claim 67, wherein the step of providing an audiovisual display presentation usesprovides for at least one of a video display, an audiovisual display, a movie projector, a digital light projector,display, a television, a computer display, and a video game display.

70. (Amended) The method as in claim 67, wherein the step of storing the modified output content uses at least one of a video tape, acomputer tape, a semiconductor memory,a storage array, a computer disk, a compact disc (CD), a digital versatile disc (DVD),film stock, and optical disc.

--72. The system as in claim 1, wherein the video output generates a video display presentation of a movie.--

--73. The system as in claim 10, including the recognizable video presentation therewithin.--

--74. The system as in claim 16 wherein the display presentation is a movie.--

--75. The method as in claim 63 further comprising: providing a display presentation responsive to the stored audiovisual content.--